

**West Mojave Plan
Task Group 1
Green Tree Inn, Victorville
November 13, 2001**

Attendees

Task Group: Ileene Anderson, Jennifer Barry, Ray Bransfield, Marie Brashear, Paul Condon, Mike Connor, Sonya Earll, Clarence Everly, Jeri Ferguson, Ken Foster, Art Gleason, Mark Hagan, Nick Harris, Jeanette Hayhurst, Becky Jones, Paul Kober, Charles LaClaire, Larry LaPre, Laurie Lile, David Matthews, Tonya Moore, Steven Morgan, James McRea, Lorelei Oviatt, Doug Parham, Bob Sackett, Jack Stewart, Bob Strub, Barbara Veale, Ed Waldheim, Terry Wold, Darrell Wong.

West Mojave Team: Bill Haigh, Larry LaPre, Ed LaRue, Valery Pilmer.

Introduction

Bill Haigh opened the meeting at 9:40 AM, and introductions were made. The meeting notes from November 1, 2001 were changed to reflect that Marie Brashear and Bob Sackett were in attendance. Correction was also made to the spelling of Tony Krzysik's name. Staff was asked to use last names when referencing discussions in the meeting notes.

Ed Waldheim asked that a time be set to discuss headstarting as it relates to all issues, not just translocation.

Mike Connor indicated that Marcia Wertenberger indicated that she would be sending out maps for Lane Mountain Milkvetch by the Tuesday immediately following the November 1st Task Group 1 meeting. This was not done, and the information has not yet been received. Haigh indicated he would note this for the record per Connor's request.

Marie Brashear noted that Denis Kearns' e-mail keeps coming back. He is on the Education Subcommittee, but has not received any of the information. Haigh will check and correct the e-mail address.

MGS/Tortoise Reconciliation Chart

- **Page 15 - BLM Use Designations,**

Haigh indicated that the intent of measure A3a is to change lands designated Class M by the BLM within the DWMA and Mojave Ground Squirrel HCA to Class L. About 1/3 of the lands within the four tortoise DWMA's are Class M. Class I lands and dry lake beds would not be affected. Considerable discussion on the multiple use class designations

occurred. The following questions were asked and points made:

- Members of the task group would like a more detailed presentation from the Barstow and Ridgecrest Field Managers regarding the use classification system in the California Desert Plan, and how the proposed change would affect management in the conservation areas.
- There was general agreement on the importance of resolving this issue so that Task Group 2 can take it into consideration during route designation. It was noted that the following route subregions would be affected: South Searles, Fremont, Kramer, Red Mountain, Superior, Coyote, Ord and Pinto.
- How will the change affect racing and dual sports events as racing is not allowed within Class L, and environmental assessments are required for dual sport events in Class L?
- Marie Brashear stated her understanding that the West Mojave Plan would be an amendment to the CDCA Plan, which would supercede anything within the CDCA Plan. Based on this, she questioned the need to change the use classes. She indicated it is important to understand what the change would mean. For example, would a Class L designation restrict rockhounding in the Kramer area?
- Mike Connor indicated there needs to be consistent management throughout the DWMA's, and changing all of the DWMA Class M lands to Class L would help ensure this.
- Ed LaRue noted that this approach was taken by the NEMO and NECO plans and consistency between the regional plans is important to the BLM. Jeri Ferguson added that this issue was not discussed during the development of the other plans.
- Gail O'Neill and Larry LaPre noted that the ACEC prescriptions for the DWMA would be the West Mojave Plan's tortoise conservation strategy, and that the ACEC prescriptions would override any conflicting multiple use class designations.
- Some members indicated the need to revisit the DWMA boundaries in order to make a final determination on this issue.

Haigh indicated he will be talking with Tim Salt and will ask whether the managers feel the change in use classification is critical, and if so, that they be present to make their case before the Task Group on December 10th. Ed Waldheim and Bob Sackett asked that the use classes be shown on the 100,000 scale DWMA map.

The group broke for lunch at 11:30 A.M. and reconvened at 1:15 P.M.

- **Page 16 through 18 - Military**

The group suggested running the language for this section by the military's PACIDERMA inter-service planning committee. Bill Haigh indicated he would take the language to that group for review.

It was noted that the language in the middle column of page 17 is an unresolved item.

Ray Bransfield will get revised language for this to Ed LaRue. The group agreed that the following sentence should be applied to the MGS:

“Therefore if current management of these lands substantially changes so that MGS and their habitats are no longer protected, the regulatory agencies must reconsider the efficacy of this HCP to provide for the recovery of the MGS.”

With regards to developing specific mitigation measures for specific project types for MGS, Becky Jones and Ed LaRue will look at the agreed upon list of tortoise mitigation measures and determine which ones would be applicable to MGS areas outside of the tortoise DWMAs. Jones noted that measures over and above the desert tortoise measures would not be required. Lorelei Oviatt noted disagreement with tortoise mitigation measures in the tortoise survey areas outside the DWMAs.

- **Page 18 (Noted that this page is not part of the military section)**

The group approved the outstanding tortoise language on this page relative to the concept of survey and non survey areas. The last sentence of the MGS language in column 3 was dropped. This section will read as follows:

“CDFG would not require Cumulative Human Impact Evaluation /forms (CHIEFs) to be completed, nor would trapping be required.”

- **Page 19 through 21 - Education**

Ed LaRue reported on the status of the Education Subcommittee. He will put together a revised section based on the input from the subcommittee by December 10th. Any additional comments from subcommittee members should be sent to him prior to that date.

The Task Group consensus was to replace this section with the subcommittee recommendations. LaRue noted that the education program will cover all species and will be in addition to the tortoise language already approved. Ed Waldheim noted that there needs to be a commitment to fund and accomplish the education program.

- **Page 21 - Predation**

The group modified the language of the first paragraph adopted for the tortoise to read as follows:

“Dogs off leash that are accompanied by and under the control of their owners shall be allowed except where prohibited.”

The language adopted for the tortoise was also approved for MGS.

- **Page 22 - 5a. Agriculture**

Mike Connor expressed concern about this section and noted that he had never agreed to the first paragraph. In particular, he is concerned about how the implementation team will track when land converts to agriculture and how this fits into the 1% cap on land disturbance. Lorelei Oviatt stated that the local jurisdictions have no way to oversee agriculture since no permits are required for conversion of land to an agricultural use. She does not feel that requiring a fee is the appropriate answer, and feels that the disturbance could be tracked through the use of aerials. Oviatt also indicated that the language needs to be clear that land disturbance by agriculture will not be covered by the West Mojave Plan. Ray Bransfield suggested that Fish and Wildlife will need to evaluate the potential impact of agricultural conversion in the DWMA. Although additional data is needed, he believes the impact and amount of land converted in the last ten years is very low. The first paragraph will read as follows for both the tortoise and MGS and will replace the language shown in column three:

“The conversion of habitat to those agricultural uses which are allowed by the local agency without issuance of a discretionary permit is exempt from payment of the compensation fee described above. If conversion will result in take of species listed by the state or federal government, then appropriate permits must be obtained from the United States Fish and Wildlife Service and/or the California Department of Fish and Game. This activity will not be covered by the West Mojave Plan.”

The last paragraph as approved for the tortoise will also be applied to the MGS.

Standard Measures

Ed LaRue indicated that he has run the standard measures by some field biologists, but he is expecting additional comments. It is premature to discuss this item today.

MGS/Tortoise Reconciliation Chart

- **Page 22 through 24 - Camping**

Bill Haigh asked whether the tortoise language should substitute for the previously recommended MGS language. Doug Parham proposed using the language on the right for N7a, replacing “existing roads” with “designated routes of travel.” Parham was concerned that language on camping could allow camping 1/4 mile away from the road, particularly in areas that have been “trashed” by uses other than camping. Others indicated that the language used for the tortoise had been discussed thoroughly and approved previously. It was clarified that implementation would include documenting the previously disturbed camping areas. Mike Connor suggested adding “except where prohibited” to the end of N7a. On a show of hands vote, the group approved using the tortoise language for the MGS without changes except for the following modification to N7b:

“Within DWMAs, stopping and parking are allowed 50 feet from center line of the designated route.”

- **Page 24 - Commercial Filming, Plant Harvesting etc.**

Marie Brashear suggested adding the print media to the list. Doug Parham expressed concern about grading done in association with a recent movie production. Mike Connor would like to ensure that the compensation formula is applied to any ground disturbance associated with commercial filming. Bill Haigh indicated that if there is concern on how the standard measures for filming are currently being enforced, that should be discussed with BLM Rangers. The group accepted the language. Bill Haigh will send out the standard measures referenced for review by the task group.

For plant harvesting, Ileene Anderson suggested adding the word “native” to the front of the sentence. She also expressed concern that the language might preclude seed collection for restoration efforts. The following language was agreed upon:

“Native plant harvesting shall not be allowed within the HCA. The term ‘plant harvesting’ does not include plant salvage from ground disturbing activities, seed or propagule collection, eradication of non-native weeds, and research. Outside of the HCA, plant harvesting will be dealt with according to the California Desert Native Plant Act.”

- **Page 24 - Construction Measures**

This will be brought back at a later date.

- **Page 25 through 26 - Fire Management**

This section was revised to read as follows for both the tortoise and MGS:

“Current management and implementation of future adaptive management actions are considered sufficient. Current management includes:” (*List of items shown in column 3 follows.*)

- **Page 26 - Hunting & Shooting**

It was noted that the intent of this section is to rely on existing regulations rather than the creation of new ones. Becky Jones noted that she does not agree with the language in Alternative 2. The Task Group agreed to use the language as shown for the tortoise for the MGS.

- **Page 27 through 28 - Mining**

The Habitat Credit Subcommittee still needs to get back to the Task Group with recommendations. Bill Haigh will send out an e-mail to that group urging them to meet and resolve this issue. Marie Brashear noted that the language shown in M3a will probably not be acceptable to small mining interests. In regards to access for mineral development, Mike Rauschkolb was going to come in with a proposal to minimize the impact.

- **Page 28 through 29 - Motorized Vehicle Access**

Doug Parham would like to have a 20 mph speed limit in the MGS Conservation Area. Others in the group wanted to keep the language shown for the tortoise. Parham asked that this be included as an alternative in the EIS. Referring to E3a, Mike Connor questioned whether “resources” would come under the definition of “property.” By a majority show of hands vote, the group agreed to use the language agreed on for the tortoise for MGS for N7c and E3a.

In reference to E5a, Ileene Anderson expressed concern with the reference to washes. The concern is related to whether the entire wash or a specific route within the wash is designated. It was noted that routes within washes can be washed out during rains. The tortoise language was revised as follows and adopted for the MGS:

“On public lands, motorized vehicle travel in washes shall be allowed only in those washes that are designated ‘open routes’ and signed as appropriate.”

It was noted that U2a will be brought back to the Task Group after review of standardized measures to be provided by the Ridgecrest Field Office.

- **Page 29 through 30 - Motorized Vehicle Events**

N1a. Ed Waldheim expressed concern that we still do not know how to deal with the Barstow to Vegas race. He would agree to the tortoise language with the exception that the OHV community would like to see the potential remain for the Barstow to Vegas race, and the reopening of the “c trails.” Marie Brashear added reference to the Johnson Valley to Parker race. The tortoise language was adopted for the MGS.

N4a. Ed Waldheim noted that dual sport reports show no deaths of tortoise. He feels that 25 mph causes problems for riders in sandy areas. Ed LaRue noted one Biological Opinion (BO) with a speed limit of 35 mph and feels that whatever is within the BO should apply. Concern was expressed regarding what would be applied in areas where tortoise and MGS conservation areas overlap. Becky Jones

indicated that changing the time frame when dual sport events could be held in the MGS Conservation area to “September to February” for those areas outside the tortoise DWMA is acceptable. Inside the DWMA, Jones would like to see the tortoise standards used. The section was changed to reflect this.

Ed Waldheim indicated he would like to see dual sports events allowed in the Rand Mountains. Jeri Ferguson indicated that a plan amendment may be in progress for this area. Bill Haigh was unaware of any proposed amendments, and will discuss with Hector Villalobos.

Ray Bransfield indicated that it would be acceptable to look at the 25 mph speed restriction as no deaths have occurred per the BO.

- **Page 30 - Open Areas**

It was noted that the first paragraph no longer applies as the open areas have been removed from the HCA. It was pointed out that the MGS Habitat Conservation Area boundary may encroach on the El Mirage Open Area. It needs to be adjusted to match the DWMA. The group deleted the first paragraph, and agreed to maintain the second as shown.

- **Page 30 through 31 - Pipelines**

Ileene Anderson requested the group consider revegetation of pipeline corridors outside the HCA, or at a minimum, consider erosion control protections. She would also like to ensure that revegetation is done with native plant species. Discussion occurred as to whether large pipeline projects should be covered by the plan, or whether a separate review should take place. Ray Bransfield advocated keeping these projects within the West Mojave Plan. The Task Group agreed to accept the tortoise language for MGS except for deleting the following language from the first I3a on page 31: “those outside of Tortoise DWMA need not be revegetated.”

- **Page 33 - Research**

This language was deleted as the issue of research is covered on page 13.

- **Page 33 through 37 - Sheep and Cattle Grazing**

Bill Haigh indicated that this issue is on hold pending the outcome of recommendations from the CDCA grazing technical review team (TRT). Mike Connor indicated that the tortoise interest groups have serious concerns regarding the TRT review of grazing and the applicability of their recommendations to the West Mojave Plan.

- **Page 37 through 41 - Utility Corridors**

The language agreed to for the tortoise was also adopted for the MGS. Item I3a on the bottom of page 38 was modified for both the tortoise and MGS by deleting the following language: "those outside of Tortoise DWMAs need not be revegetated." It was noted that language in the CDCA Plan regarding utilities staying within existing utility corridors needs to be brought forward and restated in this section. The language re contingent corridors on page 41 was not discussed by the task group.

- **Page 41 - Weeds**

Mike Connor expressed concern that invasive weeds are a major threat and need to be effectively dealt with. It was noted that other groups have looked at this issue. Ileene Anderson suggested looking at the Mojave Weed Management Area. It was noted that Chuck Bell is the county representative on the Resource Conservation District and could be a resource on this issue. Bill Haigh indicated staff with look at what has already been done in this area.

Next Meeting Date

The next Task Group 1 meeting is scheduled for Monday, December 10, 2001 at 9:30 A.M. The focus of that meeting will be as follows:

- Presentation by Ray Bransfield
- Kick-off of other species
- Look at plant data and evaluation reports on birds etc.

Bill Haigh noted that within the next week or so, the species accounts will be posted on the web site.

The following dates were set for future meetings:

- Wednesday, January 9, 2002 at 9:30 A.M.
- Monday, February 11, 2002 at 9:30 A.M.

The meeting adjourned at 3:45 P.M.

